



MICHAEL R. PENCE, Governor
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY
302 West Washington Street
Indianapolis, IN 46204

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

July 2, 2013

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:01 a.m. on July 2, 2013.

(a) Commissioners present at the Commission meeting:

Diana M. H. Brenner
Ron Brown
Tom Cloud
Kevin Goeden, representing the Commissioner, Department of Labor
John Hawkins, Chairman
Randall Snyder, representing the Commissioner, Department of Health
Matt Mitchell
Patrick Richard

Commissioners not present at the Commission meeting:

Michael Corey

(b) The following departmental and support staff were present during the meeting:

Legal and Code Services
Mara Snyder, Director, Legal and Code Services
Cecilia Ernstes-Boxell, Code Specialist
Denise Fitzpatrick, Code Specialist
John Haines, Code Specialist
Beth Sutor, Secretary

(c) James Schmidt, Deputy Attorney General, and Gary Bippus, Administrative Law Judge, were present.



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Chairman Hawkins called for a moment of silence in tribute to the 19 firefighters who had lost their lives in the Arizona fire.

2. Old Business

Chairman Hawkins called for any corrections or a motion to approve the minutes of the June 4, 2013, meeting. Commissioner Cloud moved to approve the minutes as distributed, with the second by Commissioner Brown. It was voted upon and carried.

3. Third Party Inspections

Hilborn, Werner, Carter and Associates, Inc.
1627 South Myrtle Avenue
Clearwater, Florida 33756

Kevin Troy, Department of Fire and Building Code Enforcement, introduced the application, noting it had been reviewed, and recommended it for approval. Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

4. Ordinances

City of Southport Ordinance No. 13.04
Southport, Indiana

Mara Snyder, Director, presented the ordinance, recommending approval. Commissioner Mitchell moved to approve the ordinance, with the second by Commissioner Brenner. Following discussion of portions of an ordinance that the Commission can approve and those over which they have no jurisdiction in an ordinance, it was voted upon and carried.

4. Variances

Tabled Variances

Variance 13-01-36(b), Lafayette Family YMCA, Lafayette, had been tabled until December. Variance 13-04-9, 920 Adams Street Sprinklers, Gary, had no proponent present for questions concerning the incomplete variance application. Noting they had not been available for questions since filing, and that they had not returned any of Mr. Haines' calls, Commissioner Brown

moved to deny. Commissioner Mitchell made the second. It was voted upon and carried. Variance 13-05-18, Contractors Steel Sprinkler Deactivation, Hammond, was represented by Peter Perlman. The request was to allow the existing sprinkler system to be deactivated, due to the change in occupancy to an S-2 low hazard storage facility for rolled steel products. The sprinkler had previously discharged without a fire, and the deactivation was an attempt to protect the stored steel from possible damage. The building had limited combustible materials, 24 hour security, and both a city hydrant and pump house hydrant for use by the fire department. Following discussion of NFPA 25 and its prescribed method to deactivate a sprinkler system, Commissioner Brenner moved to approve with the condition that signs announcing a non-functional sprinkler system be posted on all risers, fire department connections, and on the exterior walls of the building. Commissioner Richard made the second. It was voted upon and carried, with two nays. Variance 13-06-1, FOE #852 Sprinklers, Rochester, was represented by Jim Tyler. He presented quotes for replacing the sprinkler piping with galvanized piping, and was told by the Commission that they had requested a quote for CPVC piping installation. Commissioner Brown moved to table to allow the proponent time to gather the correct information. Commissioner Richard made the second. It was voted upon and carried. Variance 13-06-8(a)(b)(c), Tippecanoe Court Suite 2561 Remodel, Lafayette, was represented by Tim Callas, J&T Consulting. The request was to allow the non-compliant wood canopy, which had been added to the Type II-B Construction building. The proponent had been working with the local fire department, and was to install $\frac{5}{8}$ " Type X drywall on the inside walls as the tenant spaces became vacant. They would make the existing 2-hour fire walls into 4-hour. Patrick Grimes, Lafayette Fire Department, had questions concerning the walls containing structural steel and their rating, and materials to infill the walls. Following discussion, Commissioner Brenner moved to table to allow the proponent time to research the construction of the walls and provide more information on materials, with the second by Commissioner Brown. It was voted upon and carried. Variances 13-06-2, 2013 SVT Elevator, Munster, and 13-06-9, 2013 SVT Elevator, Hammond, were represented by Will Stordeur, Maintenance Supervisor. The elevators, installed in 1982 and 1983, had neither been filed with, nor inspected by, the state. This was discovered by Mr. Stordeur when he took over the position, and had looked into the elevators. The request was to allow the inspection of the freight elevators to the code in effect at the time of installation. Following discussion, Commissioner Mitchell moved to table, with the second by Commissioner Cloud, to have the applicant have the elevators inspected by an Indiana licensed elevator inspector who would create a list of all violations, based on current code. It was voted upon and carried. Variance 13-06-11, Backstage Bar and Grill, Evansville, was represented by Ed Rensink, RTM Consultants. The request was to allow the owner a period of six months in which to construct a rated floor/ceiling assembly in the basement to separate the first floor and basement. The tenant, not the owner, was to pay for the construction, though the owner and not the tenant used the basement as storage space. Following discussion, Commissioner Cloud moved to approve, with the condition that a manual fire alarm system was to be installed. The audio system was to be tied to the alarm system and would shut off automatically when the alarm system was activated. Commissioner Von Deylen made the second. It was voted upon and carried. Variance 13-06-12, Wawasee Schools Marine Trades Building, Syracuse, was represented by Ralph Gerdes, Ralph Gerdes Consultants. The programs to be offered during the upcoming school year, covered by the variance, would not include welding, the use of composites or fiberglass, and there would be no gas in the fuel tanks. There would be 15 students divided between morning and afternoon courses, and 2 teachers. A 6" platform in the building

was to be removed, and the existing pit, not to be used, would be covered with flooring. Dana Wannemaker, architect, discussed the restroom facilities provided in the building. Following discussion, Commissioner Brenner moved to approve with the conditions that fire extinguishers be installed, the platform be removed, the door from the shop to the corridor that swings against the direction of egress be removed, emergency lighting be added, battery-operated smoke alarms be added, and the facility comply with Chapter 4 of the Indiana Fire Code. Commissioner Brown made the second. It was voted upon and carried. Variance 13-06-20, Hampton Inn and Suites, Schererville, was now complete. It had been reviewed as a "B", but was unable to be heard until complete. Commissioner Mitchell moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

Regular Variances

A request had been made to have variance 13-07-23, McDonalds Exterior Remodel, Mishawaka, and variance 13-07-49, McDonalds Shelbyville ACI 11020, Shelbyville, voted upon separately from the rest of the block vote. Commissioner Brenner moved to approve variance 13-07-23 and 13-07-49, with the second by Commissioner Cloud. It was voted upon and carried with one nay by Commissioner Brown.

Chairman Hawkins called for any abstentions or variances to be called out of the block vote. Commissioner Brenner announced she would abstain from voting on 13-07-3, Pepsi Coliseum New Arena – Indiana State Fair Grounds, Indianapolis, and 13-07-53, Coliseum Renovation, Indianapolis. Commissioner Von Deylen announced he would abstain from voting on 13-07-54, Do 317 Lounge, Indianapolis. Commissioner Cloud announced he would abstain from voting on 13-07-21, Greencastle Parking Garage, Greencastle, 13-07-24, Randall Lofts, Ft. Wayne, 13-07-39(a)(b)(c), Cardinal Square Parking Facility, Muncie, and 13-07-43, 9 on Canal Pool, Indianapolis. Commissioner Brown called out 13-07-51, El Cerrito Mexican Restaurant, Plainfield. Commissioner Mitchell moved to approve all remaining "A" and "B" variances, with the second by Commissioner Von Deylen. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 13-07-1 590 E. Graham Place Windows, Bloomington
- (2) 13-07-3 Pepsi Coliseum New Arena- Indiana State Fair Grounds, Indianapolis
- (3) 13-07-6(a)(b)(c) Indiana State University Science Building, Terre Haute
- (4) 13-07-7(b)(c)(d) Indiana State University North Residence Hall, Terre Haute
- (5) 13-07-8 Wea Ridge Elementary School Additions and Renovations, Lafayette
- (6) 13-07-9 Riverside Park Amphitheater Concert Series, Rushville
- (7) 13-07-10 RELP Pendleton – Former K-Mart Filling Station UST System, Indianapolis
- (8) 13-07-15(a) St. Francis Irvington Clinic, Indianapolis
- (9) 13-07-19 Indiana University Kelley School of Business Phase 2 Renovation, Indianapolis

- (10) 13-07-20 C. R. Richardson Building Change of Use, Richmond
- (11) 13-07-22 Crossroads Worship Arts Academy, Newburgh
- (12) 13-07-25 Lilly K108 ASRA Storage Building, Indianapolis
- (13) 13-07-27 Legacy Towns and Flats Phase 2, Carmel
- (14) 13-07-28(a)(b) The District at Saxony Beachside, Fishers
- (15) 13-07-29(b) Highpointe on Meridian, Carmel
- (16) 13-07-30 The Point on Fall Creek Phase II, Indianapolis
- (17) 13-07-32 First Internet Bank Administrative Offices, Fishers
- (18) 13-07-34 Bennett Storage C.R. 1050 North Storage Building, Chesterton
- (19) 13-07-36(b) Messmann's Meats, Hunterton
- (20) 13-07-38 Avondale Meadows Health and Wellness Center, Indianapolis
- (21) 13-07-40(b) NKH Seating Inc. Plant Expansion, Frankfort
- (22) 13-07-42 Woodlawn Windows, Bloomington
- (23) 13-07-52 IU Health Neuroscience Clinical Research Center, Indianapolis
- (24) 13-07-57(b) Nativity Catholic Church New Storage Building, Indianapolis
- (25) 13-07-58 Brehob Warehouse, Indianapolis

Variance 13-07-47, The Electric Brew, Goshen, had been rated by Staff as No Variance Required. Commissioner Brenner moved No Variance Required, with the second by Commissioner Cloud. It was voted upon and carried.

The following variances were heard separately:

- (26) 13-07-2(a)(b) Hoosier Energy Merom Generating Station Crusher House Elevator #41215 and Breaker House Elevator #41172 Modernization, Sullivan

Jerry Hennessey, ThyssenKrupp Elevators, spoke as proponent. The request was to allow the smoke detectors to be deleted from these elevators, noting they were in an environment filled with coal dust and extreme temperatures which caused nuisance tripping of the sensors. The firefighter recall would still be installed. Following discussion, Commissioner Cloud moved to approve both variances, with the second by Commissioner Richard. They were voted upon and carried.

- (27) 13-07-4 The Hideaway Bar and Grill, Gas City

Charles and Tequilla Hoskins, owners of the bar, spoke as proponents. The request was to omit the sprinklers called for when the seating area of the facility was expanded. The building was solid block, with slab on grade. The proponent could not answer if the wall that had been opened to provide the additional seating area was of 1-hour fire-rated construction. Following further discussion, Commissioner Brown moved to table to allow the proponents time to research the construction of the wall, and to get the owner of the property's signature on the application. Commissioner Cloud made the second. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 10:13 a.m. It was called back to order at 10:33 a.m. At this time, the newest Commission member, Craig Von Deylen, was introduced.

(28) 13-07-5 IUPUI Building CC Fire Alarm Replacement, Columbus

Barry Simpson, L'Acquis Consulting, spoke as proponent. The request was for relief from the full inspection fee for the project, consisting of the replacement of an existing fire alarm system. The limited scope project had been charged the full assessment, though the system would be inspected only at final acceptance. Dave Moses, Plan Review Division, explained how the fee of \$7,500 had been calculated. Following discussion, Commissioner Brown moved to assess a \$500 fee. Motion died for lack of second. Following further discussion, Commissioner Mitchell moved to deny, with the second by Commissioner Cloud. It was voted upon and carried, with 2 nay votes. Commission members, who agreed the fee system needed to be reworked, directed Staff to investigate solutions for the issue.

(29) 13-07-7(a) Indiana State University North Residence Hall, Terre Haute

Marvin Christman, Otis Elevator, spoke as proponent. The request was to be allowed to use a telescoping apron. The 48" apron would not fit due to the depth of the pit. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(30) 13-07-11 Trinity United Methodist Church Chair Lift, New Castle

Jim Mack, Mack Architects, and Steve Perron, Access Elevator, spoke as proponents. The request was to allow the folded chair lift to extend 9" into the required width of the stairway. The local officials had requested the exit sign over the stairway be moved to the second stairway, which exits through the original building, and the installation of panic hardware. Following discussion, Commissioner Cloud moved to approve, with the condition that the exit sign remain in place, an exit sign be added over the stairway in the local official's request, and panic hardware installed on the basement doors. Commissioner Brenner made the second. It was voted upon and carried.

(31) 13-07-12 Greentown Lions 4-H Pavilion, Greentown

Bryan Kirkpatrick, Lions Club, spoke as proponent. The request was to allow 4 to 6 events to be held in the facility per year, without voiding the variance they had received to omit the sprinkler system because the building would be used only during the 4-H Fair. They also requested clarification that the previous variance allowed them to store

vehicles in the building during the time it is not used by the Fair. They noted that they require drained LP tanks and low levels of gas in the vehicles before they are stored, and that a rental committee confirms compliance with the regulations. They also noted that, when in use for events, the doors remained open, and a firewatch was in place. The local fire marshal, Tom Hendricks, was present and confirmed the firewatch was provided by his department, including at least one fire apparatus on site. Following discussion, Commissioner Brenner moved to approve, with the condition that the doors were to be open when in use, the lease conditions were mandatory, and a firewatch was to be provided. The second was made by Commissioner Von Deylen. It was voted upon and carried, with 1 nay.

(32) 13-07-13 CGHS Soccer/Softball Changing Building, Greenwood

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A new locker room facility was built in the center of an existing athletic complex. The request was to allow the existing 14' wide access road and gate to remain, in lieu of the code-required 20'. White River Township Fire Marshal Michael Arany addressed the Commission, stating they had inspected the area, and had requested 10' of additional pavement by the concession area, a Knox box for the gate key, and a 1-hour ceiling assembly in the facility. Following discussion, Commissioner Brown moved to approve with the condition a 1-hour floor/ceiling assembly be installed, a Knox box was to be provided, and an additional 10' of paving was to be installed. Commissioner Richard made the second. It was voted upon and carried.

(33) 13-07-14 Indiana University Neurosciences Research Building, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a noncombustible plumbing pipe to penetrate a fire-rated stair enclosure in one location on floors 2, 3, 4, and 5. The penetrations were to be protected per Sec. 712.3.2 of the IBC in the sprinklered building. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Cloud. It was voted upon and carried, with one nay.

(34) 13-07-15(b) St. Francis Irvington Clinic, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. A 1-story, Type VB construction medical office building was to be approximately 6' from the adjacent property line, and 21'-95' from a recently constructed building. The request was to allow the exterior openings to comprise 19% of the exterior wall, as opposed to the 10% allowed by code. Per the proponent, there was no immediate fire exposure. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

- (35) 13-07-16 Indiana University Health Methodist Hospital, Indianapolis
13-07-17 Indiana University Health University Hospital, Indianapolis
13-07-18 Riley Hospital for Children at Indiana University, Indianapolis

Joe Anderson, Indiana University Health Safety Officer, spoke as proponent. The request was to allow the mobile work stations, called a WOW, to be stored in the corridors when not in use. The carts, fitted with computers and in almost constant use by the medical staff, are allowed to remain in corridors under the Life Safety Code if they do not diminish the width of the corridor to less than 5 feet. As part of the fire response procedure for the IU Health facilities, the WOWs are moved to a patient room and out of the corridors. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Richard. It was voted upon and carried, with one nay.

- (36) 13-07-21 Greencastle Parking Garage, Greencastle

The application was incomplete and unable to be heard. Commissioner Brenner moved to table, with the second by Commissioner Richard. It was voted upon and carried. Commissioner Cloud abstained.

- (37) 13-07-24 Randall Lofts, Ft. Wayne

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the floor/ceiling assembly between the first floor coffee shop and the second floor residence to be less than the required 1-hour rating. The ceiling of the historic building was tin, and the floor was solid wood joists, with tongue and groove wood decking, covered with 1½" gypcrete. The building was to be sprinklered. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Brenner. It was voted upon and carried. Commissioner Cloud abstained.

- (38) 13-07-26 Bailey Park 6-Plex Patio Homes, Brownsburg

Ed Rensink, RTM Consultants, spoke as proponent. The request was to provide a 13D sprinkler system in lieu of the code-required 13R system in the 11 structures, with the cost difference between the two systems being the deciding factor. Each unit would have two exits, a separated garage, smoke detectors, and a 1-hour fire barrier between each unit and its neighbor. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried, with a vote of five to four.

- (39) 13-07-29(a) Highpointe on Meridian, Carmel

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the travel distance in the 2 and 3 story units to exceed that permitted by code, due to multiple levels. The stairways were to be 1-hour rated, and discharge directly to the exterior. Each sleeping room was to be provided with emergency escape and rescue windows, and the buildings were to be sprinklered with a 13R system. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Snyder. It was voted upon and carried.

- (40) 13-07-31 Taqueria El Taconazo, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a Chapter 34 evaluation for the tenant space only, and not the entire building, as required per code. The tenant space was to be separated from the remaining structure with a 2-hour fire barrier, and to have a maximum exit travel distance of 75 feet. Following discussion, Commissioner Cloud moved to approve, with the condition that a second exit be provided on the south side of the space, fitted with panic hardware. Commissioner Richard made the second. It was voted upon and carried.

- (41) 13-07-33 Arcelormittal Stockhouse #7, East Chicago

Matt Delks, Kone Elevators, spoke as proponent. The request was to omit the fire alarm initiating device due to the large amount of production dust in the air, triggering false alarms. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission for lunch at 11:53 a.m. It was called back to order at 1:00 p.m.

- (42) 13-07-35 Clancy's, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. Also addressing the Commission was James Mack, Mack Architects. A portion of the first floor of the building was to change occupancy from a B to an A-2, with the second floor, separated by a 1-hour ceiling/floor assembly, remaining a B occupancy. The balance of the first floor was vacant, having been a daycare, and was to be separated by a 2-hour fire barrier. The request was to allow only the portion of the building changing occupancy to be used in the Chapter 34 review. Smoke detectors and fire alarms would be installed, as well as a second means of egress for the office space. Following discussion, Commissioner Mitchell moved to approve,

with the condition that the door connecting the daycare area and the tenant space be removed, and a 2-hour separation be maintained. Commissioner Cloud made the second. It was voted upon and carried.

(43) 13-07-36(a) Messmann's Meats, Hunterton

Ed Rensink, RTM Consultants, spoke as proponent. The structure was to be used as a meat processing facility, and was an F-1 Occupancy. A structural evaluation had been done, and it was found that the 10" footing, which did not support the floor loads, would support the required live and dead loads. The request was to allow the 10" footings, installed per the design release, in lieu of the 12" footing called for by code. Following discussion, Commissioner Cloud moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

(44) 13-07-37 Hillside Villas, Indianapolis

Tim Callas, J&T Consulting, spoke as proponent. The request was to allow the use of a 13D sprinkler system, in lieu of the required 13R. This 6-unit building, the last to be built, was 2-story, with a walk-out basement. Each unit was to be separated by a 2-hour fire barrier, with a 61 foot maximum travel distance to an exit. The basement exits directly to the exterior, as do the two exits on the first floor. Smoke detection would be provided. Randy Gulley, Wayne Township Fire Department, addressed the Commission. He requested that the walk-in closets be sprinklered. Following discussion, Commissioner Brenner moved to approve, with the condition that the basement ceiling be drywalled, and the walk-in closets be sprinkled. The second was made by Commissioner Von Deylen. It was voted upon and carried, with one nay.

(45) 13-07-39(a)(b)(c) Cardinal Square Parking Facility, Muncie

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was to allow the party wall between the parking garage, owned by the city, and the residential building owned by a private entity, to be omitted. A 2-hour fire barrier, with 90 minute openings, would be provided between the two sprinklered structures. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Richard. It was voted upon and carried. Variance (b) was a request to omit emergency power back-up for the elevator. An area of refuge, including wheelchair space, was to be provided in the enclosed stairways. Following discussion, Commissioner Brenner moved to approve, with the condition that a transfer switch for a portable power generator be provided. Commissioner Mitchell made the second. It was voted upon and carried. Variance (c)

was to allow the ventilation system to comply with the 2009 International Mechanical Code, in lieu of the current 2008 Indiana Mechanical Code. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Richard. It was voted upon and carried. Commissioner Cloud abstained.

(46) 13-07-40(a) NKH Seating Inc. Plant Expansion, Frankfort

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the reduction of the sideyard of the building to 43 feet from the required 60' of an unlimited area building, following the construction of the addition. Both structures would be sprinklered, and a 2-hour fire barrier would separate them. An asphalt drive lane was to be maintained along the building addition as part of the drive surrounding the entire structure. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

(47) 13-07-41 Conrad Condominium Unit 2002, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to be allowed to use a non-rated stainless steel door and frame, with sidelights, for the build-out of existing unit # 2002, in the 1-hour rated corridor of the 20th floor. An additional sprinkler was to be installed on both sides of the 5' opening, and the door was to be self-closing as required by code. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

(48) 13-07-43 9 On Canal Pool, Indianapolis

Tim Berneche, Berneche 2 Architecture, spoke as proponent. The request was to omit the code-required deck from one side of the fifth floor pool, and to provide an infinity edge on the fourth side. Life safety equipment was to be provided per code. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Commissioner Cloud abstained.

(49) 13-07-44 Safe House Bar and Grill, Crown Point

Lex Venditti, owner, spoke as proponent. When a tenant had been evicted from the building, constructed circa 1900, they had done considerable damage to the south area of the building. During what the owner considered repair work, the damaged ceiling, consisting of drywall, wood sheeting and fiber acoustic ceiling tiles, had been replaced with Type X drywall in an effort to match the ceiling on the north side of the dividing stairway. The local officials felt this was more than a repair, and he was told he must now install a 2-hour ceiling. Stating the existing floor joists could not carry the additional

weight of four layers of drywall, the proponent requested he be allowed to provide a 1-hour separation. Following discussion, Commissioner Cloud moved to approve the installation of two layers of 5/8" Type X drywall, in lieu of four, on the ceiling. Commissioner Brenner made the second. It was voted upon and carried, with one nay vote.

- (50) 13-07-45 Witham Health Services South Addition, Lebanon

Doug Trent, RTM Consultants, spoke as proponent. The request was to allow the steel canopy connecting the existing building and the MRI trailer to be unprotected. The canopy, built of non-combustible materials, was to be sprinklered. Following discussion, Commissioner Brenner moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

- (51) 13-07-46 Mental Health America of Indiana Summer Canopy, Indianapolis

Debbie Dial, Mental Health America of Indiana, spoke as proponent. The request was to allow a canopy, erected in a courtyard created by the three buildings of the facility, to remain in place for approximately 120 days from May through October, exceeding the length of time allowed by code. The canopy provided shade and shelter for outdoor meeting, employee lunch breaks, and such. The proponent requested the variance be valid from 2013 forward. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Brenner. It was voted upon and carried.

Breaking and reconvening Chairman Hawkins recessed the Commission at 2:00 p.m. It was called back to order at 2:07 p.m.

- (52) 13-07-48(a)(b)(c)(d) Crossroads Christian Church Phase 2 Additions, Newburgh

Roger Lehman, RLehman Consultants, spoke as proponent. The original plans for the building had been designed to include classroom and administrative offices on the second floor, but the construction had not been done due to lack of funds. They now wished to construct the second floor. This would include a 4" concrete pour to create a 2-hour fire barrier between the first and second floor of the sprinklered building. Following discussion, Commissioner Brown moved to approve both variances (a) and (b), with the second by Commissioner Cloud. It was voted upon and carried, pending staff receipt of the local fire official acknowledgement. Variances (c) and (d) were withdrawn by the proponent.

- (53) 13-07-50 Miller Cabinetry & Furniture LLC, Grabill

Michael Christoffersen and Kate Lengacher, Architectural Designs, spoke as proponents. An Amish cabinet company had started as a business attached to the home, and had grown to a second building. They now wished to connect the two buildings with a "corridor" sheathed with $\frac{5}{8}$ " Type X drywall both inside and out. The same was to be installed in the buildings. Fire shutters, 6 exits, and an NFPA 664 dust collection system would also be installed in lieu of the required 3-hour fire separation. Following discussion, Commissioner Cloud moved to approve, with the condition that all exit doors swing in the direction of travel. Commissioner Brenner made the second. It was voted upon and carried, with one nay.

- (54) 13-07-51 El Cerrito Mexican Restaurant, Plainfield

The request was to allow just the tenant space to be evaluated under Chapter 34 with existing 2-hour fire barriers, in lieu of the required fire walls. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Cloud. It was voted upon and carried, with one nay.

- (55) 13-07-53 Coliseum Renovation, Indianapolis

Jessie Olvera and Rich Trombley, Indiana State Fair, spoke as proponents. The request was to allow public tours of the facility's restoration of the Coliseum during the Indiana State Fair. The tours were to be during daylight hours, and confined to a clearly defined, fenced pathway. No construction would be ongoing during the tour periods, and all exterior renovation would be completed. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Richard. It was voted upon and carried. Commissioner Brenner abstained.

- (56) 13-07-54 Do 317 Lounge, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a 1,000 square foot suite to be converted from a B Occupancy to an A-2 Occupancy without complying with either the requirements for new construction or with Sec. 3410 of the IBC. The suite comprises less than 2% of the total area of the combined 1880's and 1920's buildings in Fountain Square. A fire alarm system, smoke detection system, and two new located exit doors were to be provided. Activation of the alarms would also activate the shunt trip, cutting off the stage's sound system. Exit signs and egress illumination was to be provided. Following discussion, and based on the information provided in the application, Commissioner Brenner moved to approve. Commissioner Cloud made the second. It was voted upon and carried, with one nay. Commissioner Von Deylen abstained

- (57) 13-07-55 702 North LLC, Indianapolis

Michael Gentile, Managing Director, and Eric Rowland, Rowland Design, spoke as proponents. A second story was to be added to an existing single-tenant office suite. The request was to omit the sprinkler and enclosed stairway. All spaces on the second floor have an unobstructed view of the means of egress, through to discharge at the bottom of the main exit stair, one of three exits from the first floor. A second stairway from the upper floor would be provided for the 42 occupants. Water service to the building was a 3/4" line, rendering sprinklers, including a 13-D system, impossible, and installing a water main beneath Capital Avenue was cost-prohibitive. Following discussion, Commissioner Brenner moved to approve, with the condition that the space under the stairway be 1-hour rated. Commissioner Richard made the second. It was voted upon and carried.

- (58) 13-07-56(a)(b) The Legends of Golf Club Assembly Building, Franklin

Ed Rensink, RTM Consultants, spoke as proponent. A building, designed to replace a tent structure used May through September for lunches, had a 370 square foot storage room attached to the dining area. Variance (a) was to allow the layer of 5/8" Type X gypsum board over a layer of SmartSide paneling to serve as the 1-hour separation required by code. Variance (b) was to allow only the horizontal grab bar, compliant with 2010 ADA guidelines, in the restroom, omitting the vertical bar due to a window opening. Following discussion, Commissioner Brown moved to approve both (a) and (b) with the condition that no flammable or combustible liquid storage be allowed. The second was made by Commissioner Brenner. It was voted upon and carried.

- (59) 13-07-57(a) Nativity Catholic Church New Storage Building, Indianapolis

Andy Minton, HCO Inc, spoke as proponent. A new maintenance equipment storage building, constructed of non-combustible 8" CMU walls, would be placed 52 feet from the nearest existing structure. As the nearest public water supply capable of supplying a fire hydrant was 2,000 feet from the site, the request was to omit the required fire hydrant. Following discussion, Commissioner Mitchell moved to approve, with the second by Commissioner Cloud. It was voted upon and carried.

- (60) 13-07-59 The Asylum House Haunted Attraction, Indianapolis

The application had been withdrawn by the proponent.

- (61) 13-07-60(a)(b)(c)(d)(e) DePauw University 708 S. Jackson St. House Relocation
- (62) 13-07-61(a)(b)(c)(d)(e) DePauw University 610 S. Jackson St. House Relocation, Greencastle

Tim Callas, J&T Consulting, spoke as proponent. Two existing buildings were moved to the new location and placed on new basements, which are to be used for mechanical equipment. The occupancy was changed to an R-2 Occupancy Dormitory. Plan Review interpreted it as a multi-tenant building. The request in (a) was to allow a "0" for this in the Chapter 34 review for the sprinklered building. Variance (b) was to omit the 1-hour separation called for by Plan Review since the buildings are within 5' of the property lines. The university owns both lots, and close spaced sprinklers, 6' on center, were to be placed along the north and south walls, in lieu of the separations. Variance (c) was a request to omit the 1-hour corridors. DePauw limits the occupancy of sleeping rooms based on the number of restrooms. Two students per room would be allowed, for a total of ten occupants. Variance (d) was to allow the existing air supply ducts to serve the mechanical system for the first and second floors. Variance (e) was to allow the use of a single exit stair which was 36" wide in 13-07-60 and 38" wide in 13-07-61. The cost to provide a second stair in the sprinklered buildings was given as the hardship. Following a lengthy discussion, Commissioner Brenner moved to approve (e) for both applications, with the condition that at least one compliant emergency escape and rescue window be provided in each sleeping room. Commissioner Cloud made the second. It was voted upon and carried. Variances (a),(b),(c) and (d) for both applications were then considered. Commissioner Brenner moved to approve (a) through (d) for each application, with the condition that a stovetop firestop be installed for each stove, and that at least one compliant emergency escape and rescue window be provided in the first floor sleeping rooms. Commissioner Cloud made the second. It was voted upon and carried.

6. Discussion and possible Commission action

Avery Dennison
Administrative Cause No. 11-30
Order – Boiler Pressure Vessel Div.
Nonfinal Order of Dismissal

Jimmy's Place
Administrative Cause No. 11-47
Order – Fire and Building Code Enforcement
Nonfinal Order of Dismissal

PCS Hammond LLC Potash Storage
Administrative Cause No. 12-24
Condition of CDR
Nonfinal Order of Dismissal

Commissioner Richard moved to affirm all Nonfinal Orders of Dismissal, with the second by Commissioner Brenner. It was voted upon and carried.

1111 S. Green River Road
Administrative Cause No. 12-38
Denial of Elevator Permit
Nonfinal Order Addressing Agency Order
Denying Elevator Alteration Permit

Commissioner Mitchell moved to affirm the Nonfinal Order Addressing Agency Order Denying Elevator Alteration Permit. Commissioner Brenner made the second. It was voted upon and carried.

8. Discussion and Commission action on Petitions for Review

Sisters of Providence
Order – Div. of Elevator Safety

Autumn Ridge Rehabilitation
Order – Div. of Elevator Safety
Not timely filed

Commissioner Mitchell moved to grant the petition for Sisters of Providence, with the second by Commissioner Brenner. It was voted upon and carried.

Commissioner Mitchell moved to deny the petition for Autumn Ridge Rehabilitation, as it had not been timely filed. Commissioner Brenner made the second. It was voted upon and carried.

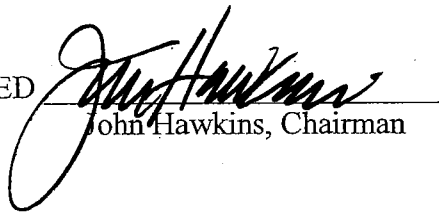
9. Comments – Mara Snyder

The public hearing for NFPA 72 will be held August 28th in the South Government Building Conference Room 14. The hope was to have it finalized by January of 2014. The request for exception from Executive Order 13-03, the moratorium on new rules, had not been answered as

of yet. A copy of the Nonrule Policy Interpretation by the Fire Prevention and Building Safety Commission, concerning Sections 4.4.3 and 4.4.4 of NFPA 12 – 2005 edition, was provided to the members of the Commission. It states that visual and operational test be performed, but not full discharge testing.

10. Chairman Hawkins adjourned the meeting at 4:30 p.m.

APPROVED



John Hawkins, Chairman

